



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೧ Part - I	ಬೆಂಗಳೂರು, ಶುಕ್ರವಾರ, ೨೨, ಜನವರಿ, ೨೦೨೧(ಮಾಘ, ೦೨, ಶಕವರ್ಷ ೧೯೪೨) Bengaluru, FRIDAY, 22, JANUARY, 2021(MAGHA,02, ShakaVarsha 1942)	ನಂ. ೮೨ No. 82
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PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Subject: Guidelines regarding reservation of the offices of the Mayors and Deputy Mayors in the City Corporations-reg.

- Read:**
1. Notification No. UDD 646 MLR 95, dated 20/12/1995.
 2. Notification No.UDD 163 MLR 2007, dated 13/12/2007.
 3. Guidelines Order No.UDD 178 MLR 2007, dated 23/01/2008 and 24/01/2008.
 4. Notification No. Sam.Vya.Sha.Ee.13 Shasana 2012, dated 30/08/2012 (Karnataka Act No.32 of 2012).
 5. Hon'ble Supreme Court's Order in SLP (Civil) 3909-3910/2003, dated 01/02/2013 and in W.P (civil) 89/2013, dated 13/02/2013.
 6. Guidelines Order No: UDD 37 MLR 2013, dated 04/05/2013.
 7. Notification No. UDD 92 MLR 2014, dated 21/08/2014.
 8. Guidelines Order No: UDD 92 MLR 2014, dated 27/08/2014.
 9. Notification No: UDD 204 MLR 2020, dated 21/01/2021.

Preamble:

1. Clause 4 and 5 of Article 243-T of the Constitution of India, sub-section (1) of Section 10 read with Section 421 of Karnataka Municipal Corporations Act, 1976, the Karnataka Municipal Corporations (Election) Rules, 1979 provides for reservation of the offices of the Mayors and Deputy Mayors in the City Corporations to SCs, STs, BCs and Women on rotation basis.

2. During 1995-2000, 2000-2005 and 2007-2012 the offices of Mayor and Deputy Mayor in City Corporations were reserved on the basis of the Karnataka Municipal Corporations (Election) Rules, 1995 and Karnataka Municipal Corporations (Election) Rules, 2007.

3. In a batch of Writ Petitions No. 39675 and others of 2004 on the subject, the Hon'ble High Court of Karnataka in its orders dated 8.11.2004 has held that the rotation has to be clear and definitely ascertainable and shall be a fixed one.

4. In Karnataka Municipalities and certain other law (Amendment) Act, 2012 (Karnataka Act No. 32 of 2012), Karnataka Municipalities Act, 1964 (Karnataka Act No. 22 of 1964) has been amended as follows:

(i) in section 10, in sub-section (1A),-

(a) in clause (b), after the second proviso, the following shall be inserted, namely:

“Provided also that the number of offices of Mayor and Deputy Mayor reserved for the backward classes under this clause shall be so determined that the total number of offices of Mayor and Deputy Mayor reserved for the scheduled castes and the scheduled tribes under clause (a) and the backward classes under this clause shall not exceed fifty percent of the total number of offices of Mayor and Deputy Mayor of the City Corporations in the State.”

(b) in clause (c), for the words “not less than one third of the total number of offices of Mayor and Deputy Mayor”, the words “not more than fifty percent of the total number of offices of Mayor and Deputy Mayor” shall be substituted.

5. In view of the orders of the Hon'ble Supreme Court of India read at Sl.No.5 above, the State Election Commission of Karnataka has conducted elections for 2013-2017 on the basis of 2007 ward wise reservation notification.

6. In view of the BRUHATH BENGALURU MAHANAGARA PALIKE ACT, 2020 (KARNATAKA ACT NO. 53 OF 2020) the government has issued the Karnataka Municipal Corporations (Election) (Amendment) Rules, 2020 dated 21/01/2021 read at Sl No.9 above, it is necessary to modify the existing guidelines at read at Sl.No.8, governing the rotational requirements of offices of the Mayors and Deputy Mayors in the Municipal Corporations. Hence this order.

Government Order No. UDD 204 MLR 2020 (Part) , Bangalore, dated 21/01/2021.

After detailed examination of all the aspects of the matter, it is ordered that the following general principles shall be kept in view for the rotation of reservation of the offices of the Mayors and Deputy Mayors in the City Corporations.

- i) Such numbers of offices of Mayors/Deputy Mayors in the City Corporations shall be reserved for SC/ST, Backward Class (A & B) and

Women as per Rule 73-A of the Karnataka Municipal Corporations (Election) Rules, 1979.

- ii) The cycle of rotation of the offices of Mayors/Deputy Mayors shall commence from the date of publication of Karnataka Municipal Corporations (Election) (Second Amendment) Rules 1995, in the Karnataka Gazette i.e., 20th December 1995. This will be applicable in the case of newly constituted City Corporations also. In respect of a CMC upgraded as a City Corporation, the reservations of the previous four terms as CMC shall be considered and the roster for the Corporation applied w.e.f. the current position in the cycle.
- iii) The number of seats for the SC/STs to be reserved for the offices Mayors/Deputy Mayors in City Corporations, shall bear, as nearly as may be, the same proportion to the total number of such offices in the State as the population of the SC/STs in the State, on the basis of 2011 Census.
- iv) The reservation of the offices of Mayors/Deputy Mayors in City Corporations in favour of SC/ST candidates in the State shall be determined by the Government based on the highest percentage of SC/ST population with reference to the total population of the City concerned as per Rule 73-A (2) of Karnataka Municipal Corporation (Election) Rules, 1979. The ULBs shall be arranged on the basis of decreasing percentage of population of SC/ST as the case may be while making such allotment.
- v) As far as possible, the rotation in respect of other categories shall ensure that there is no repetition of reservation of a seat with reference to the reservation in the previous terms.
- vi) A woman candidate will be eligible to contest a seat which is not reserved for the woman category, either for Mayor or Deputy Mayor, in the case of an election to such posts.
- vii) Both the office of the Mayor and Deputy Mayor of the City Corporations shall not be allotted in favour of the same category viz. Scheduled caste, scheduled Tribe, Backward Class and Woman.
- viii) The categories of offices of the Mayors and Deputy Mayors as determined in the Rule 73-A of the Karnataka Municipal Corporation (Election) Rules, 1979 shall be allotted in the following manner.

Sl. No.	Category	Mayor	Deputy Mayor
1.	SC	1	0
2.	SCW	1	1
3.	ST	1	0
4.	STW	0	0
5.	BCA	1	1
6.	BCAW	1	2
7.	BCB	0	1
8.	BCBW	0	0
9.	G	3	2
10.	GW	2	3
	TOTAL	10	10

The number of posts will be fixed as per Rules 73-A KMC (Elections) rules 1979, when the number of posts is an odd number, the posts will be alternated annually between the Mayor and the Deputy Mayor in view of the fact that they cannot be equally distributed for both the posts viz. Mayor and Deputy Mayor.

- ix) The sequence in the process of reservation of offices of Mayors and Deputy Mayors in City Corporations shall be as under;
- Every Corporation shall be arranged in a decreasing order of percentage of SC population. Thereafter Reservation for the Scheduled Caste shall be done on rotation based upon declining population of Scheduled Castes.
 - A similar exercise shall be followed for ST category i.e. every Corporation shall be arranged in a decreasing order percentage of ST population and thereafter reservation for ST shall be done on the basis of rotation.
 - Thereafter a combined list of all Corporations in alphabetical order in English language shall be prepared indicating the points fixed for **SCW/ST/SC/STW** as per (a) & (b) above. Next allotment of seats for other categories shall be as per following cycle **BCAW-> G ->BCBW ->GW ->BCA ->G->BCB ->GW**.
 - The proceedings shall be drawn up indicating the reasons for reservation of seats in respect of each category of the offices of Mayor and Deputy Mayor of City Corporation wise.

- x) These guidelines should be read with the Karnataka Municipal Corporations (Election) Rules, 1979, as amended from time to time.

By order and in the Name of the
Governor of Karnataka

(A. VIJAYAKUMAR)

Under Secretary to Government
Urban Development Department